

REMARKS

The applicant is in receipt of the Office Action of January 23, 2008, entirely in the nature of a restriction requirement.

The present application is the U.S. Phase of a PCT application. Applicant has claimed priority, and the International Bureau will have forwarded to the PTO copies of the Japanese priority applications. **Accordingly, applicant respectfully requests the examiner to acknowledge receipt applicant's papers filed under Section 119.**

The Preliminary Amendment made above leaves in the application only claims to the elected Group I. Accordingly, applicant accepts the restriction requirement insofar as it holds the elected Group I patentably distinct from the non-elected Groups II-IX.

However, this election without traverse of Group I is not to be taken as acquiescence with respect to the restriction requirement as it applies with respect to Groups II-IX, i.e. applicant respectfully traverses the requirement insofar as it considers Groups II-IX separate inventions under PCT Rules 13.1 and 13.2. Lack of unity of invention has not been demonstrated by the PTO.

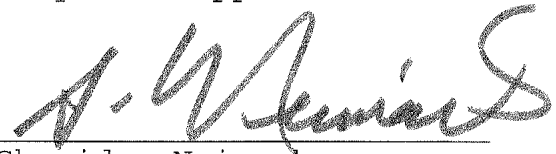
Accordingly, applicant respectfully reserves the right to file a single divisional application, without any penalty whatsoever, relying on Sections 121, 120, 119, to cover one or more of Groups II-IX. Moreover, applicant wishes to make of record that any division among Groups II-IX should be reconsidered in view of the second paragraph of MPEP 803.

Applicant now respectfully awaits the results of a first examination on the merits of the elected Group I claims.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

By


Sheridan Neimark
Registration No. 20,520

SN:td

Telephone No.: (202) 628-5197

Facsimile No.: (202) 737-3528

G:\BN\A\akiy\Uchiyama2\Pto\2008-02-20PREL AMDPCT FORMAT.doc